

**Federal Defenders
OF NEW YORK, INC.**

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David E. Patton
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[VIA ECF AND EMAIL]

The Honorable Philip M. Halpern
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Application granted. The date for Mr. Christopher to
surrender for service of sentence is delayed to March
7, 2022.

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SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: White Plains, New York
January 4, 2022

Re: *United States v. Kevin Christopher*, 7:21-cr-00151-PMH

Dear Honorable Judge Halpern:

I write to respectfully request that the Court delay Mr. Christopher's self-surrender date by 60 days due to the recent surge in COVID cases and the Omicron variant.

As Your Honor likely recalls, Mr. Christopher was sentenced to a term of 33 months imprisonment on October 27, 2021 and was permitted to self-surrender on January 4, 2022. This request was granted, in part, because of how well Mr. Christopher was doing under pre-trial supervision. At sentencing, he requested a recommendation for FCI Danbury. He has been eagerly awaiting his BOP designation and only learned today at 11:30 a.m. that he would in fact be designated to FCI Danbury.

Since Mr. Christopher's sentencing, COVID case numbers have continued to rise and there has been the emergence of the new Omicron variant in addition to the Delta variant. The BOP website reports that as of today, FCI Danbury has 47 positive COVID cases amongst inmates and 3 positive COVID cases amongst staff. The facility is listed 7th amongst the BOP facilities with the highest number of cases. At sentencing, it was discussed at length the concerns regarding the COVID-19 virus. I noted at sentencing and in my sentencing submission that Mr. Christopher suffers from a host of conditions that puts him at an increased risk of severe complications should he contract COVID-19, specifically obesity, diabetes, high blood pressure, and a history of strokes. Given the surge of new cases and the inherent limitations of self-protection in BOP facilities, such as social distancing, Mr. Christopher respectfully requests that his self-surrender date be moved by 60 days.

I have contacted both the attorney for the government and pre-trial services regarding their respective positions. Both take no position on this request.

I apologize for the delay in making this request. The recent surge in cases has only dramatically increased in the last week or two and it was unclear where Mr. Christopher would be going to until today. Without that information, it was difficult to determine what risk, if any,

he would face when entering the BOP. It is also my understanding that he has continued to have no issues while under supervision since his sentencing.

Based on this, Mr. Christopher respectfully requests that the Court delay his self-surrender date by 60 days.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elizabeth K. Quinn".

Elizabeth K. Quinn
Counsel for Mr. Christopher

cc: T. Josiah Pertz, A.U.S.A. (via electronic mail)